

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CITIBANK, N.A, AS TRUSTEE,)
Plaintiff,)
v.) Civil Action No. 4:05-CV-40045-FDS
JOHN P. PHELAN, WENDY M. PHELAN,)
THE UNITED STATES OF AMERICA,)
O'CALLIGHAN CONSTRUCTION)
COMPANY, AND THE)
COMMONWEALTH OF)
MASSACHUSETTS' DEPARTMENT OF)
REVENUE,)
Defendants, and)
DAVID LA BRIE,)
Defendant and Cross-claimant)

CERTIFICATE OF SERVICE OF

**DECLARATION OF WILLIAM M. PALMER, ESQ. OF FAILURES OF CROSS-
CLAIM DEFENDANTS JOHN D. PHELAN, WENDY M. PHELAN, O'CALLAHAN
CONSTRUCTION COMPANY AND THE COMMONWEALTH OF
MASSACHUSETTS' DEPARTMENT OF REVENUE TO PLEAD OR OTHERWISE
DEFEND AGAINST THE CROSS-CLAIMS OF DAVID LA BRIE AND REQUEST FOR**

ENTRY OF DEFAULTS BY THE CLERK

UPON JOHN D. PHELAN

I hereby certify that a true and accurate copy of the above-titled paper (docket no. 16) was served by first-class mail on this 13th day of June on John. D. Phelan; 1 Catacunamaug Road; Shirley, MA; 01464.

/S/ William M. Palmer

June 13, 2005

WILLIAM M. PALMER

DATED